

ESTTA Tracking number: **ESTTA458824**

Filing date: **02/28/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91201265
Party	Plaintiff Angels Baseball LP
Correspondence Address	ARYN M EMERT COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES ame@cll.com, jmn@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Aryn M. Emert
Filer's e-mail	ame@cll.com, jmn@cll.com, trademark@cll.com
Signature	/Aryn M. Emert/
Date	02/28/2012
Attachments	ANGELS AND DIAMONDS - MOCS - FEB 28 2012.PDF (3 pages)(24448 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/125,822
Filed: September 9, 2010
For Mark: ANGELS & DIAMONDS
Published in the Official Gazette: February 22, 2011

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ANGELS BASEBALL LP,	:	
	:	
Opposer,	:	Opposition No. 91201265
	:	
v.	:	
	:	
JOHNNY CHUN CHOI,	:	
	:	
Applicant.	:	
	:	
-----X		

**MOTION ON CONSENT TO SUSPEND PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of three (3) months, until **May 28, 2012**. The pro se Applicant consented to this motion, which is requested to allow the parties to engage in settlement discussions.

Progress has been made towards settlement of this matter. The parties negotiated potential terms for settlement. Thereafter, Opposer's outside counsel drafted an agreement based on those terms, and relayed the agreement to Opposer's in-house counsel, who is in charge of the matter, for consideration. The additional time is requested for Opposer's in-house counsel to review the draft agreement and for the parties to continue to work towards settlement of this matter.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition until thirty (30) days after the suspension ends. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York
February 28, 2012

COWAN LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: /Aryn M. Emert/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on February 28, 2012, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid to, Applicant and Applicant's Correspondent, Johnny Chun Choi, 1114 De Anza Pl., Arcadia, CA 91007-6142.

/Aryn M. Emert/

Aryn M. Emert